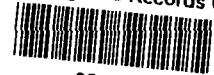




State of Ohio Environmental Protection Agency

EPA Region 5 Records Ctr.



385788

S:

STREET ADDRESS:

Lazarus Government Center
122 S. Front Street
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

P.O. Box 1049
Columbus, OH 43216-1049

February 24, 2006

Mr. Jason H. El-Zein, Chief
U.S. EPA Region 5, Emergency Response # 1
9311 Groh Road
Gosse Ile, Michigan 48138-1697

Re: HPM Plant #1 OHD 980 569 230

Dear Mr. El-Zein:

Thank you for discussing the HPM Plant #1 with Ralph McGinnis of my staff on February 15, 2006. As discussed, we have enclosed a time-critical removal action referral package to seek U.S. EPA's assistance in addressing this facility.

As explained during the discussion with Ralph, HPM formerly operated a facility in Mt. Gilead, Ohio. It is believed HPM ceased regulated operations on February 21, 2001. HPM manufactured large stamping and injection molding machines and conducted metal plating and heat treating before filing for bankruptcy. Taylor Industries later leased the facility. It is our understanding that Taylor Industries' lease was terminated before Mid-Ohio Sanitation & Recycling purchased the property. Mid-Ohio Sanitation & Recycling is currently operating as a solid waste transfer station and/or recycling center at this facility.

This facility contains vast quantities of chemicals, many of which are unknown and thought to be hazardous. These chemicals are in various types of containers, vats, old equipment, pits, sump pumps and transformers. Also, this facility has products, old equipment and debris scattered throughout and boxes of light bulbs labeled to contain mercury. Although a high fence surrounds the property, security is minimal at best and we believe site conditions constitute a threat to human health and the environment.

To date, actions taken by us to require cleanup of this facility have not been successful. Ohio EPA is evaluating our enforcement options.

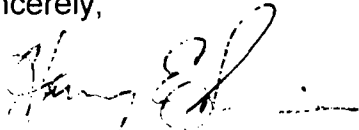
Bob Taft, Governor
Bruce Johnson, Lieutenant Governor
Joseph P. Koncelik, Director

HPM Plant #1 OHD 980 569 230

Page 2

If you need any additional information, please contact Randy Sheldon at (614) 728-5037 or Ralph McGinnis at (614) 644-3065. Thank you for your assistance in this matter.

Sincerely,



Harry Sarvis, Manager
Compliance Assurance Section
Division of Hazardous Waste Management

Enclosure

cc: Ralph McGinnis, DHWM, CO
Randy Sheldon, DHWM, CDO
Lundy Adelsberger, DHWM, CDO 614 728-3879

EI-Zein USEPAreferral HMP 02-24-06rev_1 wpd

HS/sl

**OHIO EPA
TIME-CRITICAL REMOVAL ACTION
REFERRAL PACKAGE**

1. Site Location and Responsible Party Information

A. Site Name: (former) HPM Plant #1

B. Location: 394/400 Lincoln Avenue, Mt. Gilead, Ohio 43338

C. Owner(s)/Operator(s):

(Current Owners & Operators)
L C Rentals & Leasing LLC
% Earl Linder II & Randy Chilcote
P.O. Box 277
Edison, OH 43320

(Former Owners & Operators)

HPM, Bankruptcy Estate
% Ms. Sara Daneman
62 Mill Street
Gahanna, OH 43230

Taylor Industrial Services
% Mr. Richard Eichler
820 Marion Road
Mt. Gilead, OH 43338

D. Brief description of steps taken to compel responsible party(ies) to conduct site remediation:

Notice of Violation on August 4, 2004; informational letters and correspondence sent to current and former owners/operators; 3 site visits; verbal discussions with current and former owners and operators. See Chronology of Events document.

2. Site Description and Background Information

A. Description of past or present operations and how wastes were generated:

HPM conducted machining, fabrication, welding, heat treating, and chrome plating at the Plant #1 facility. Taylor Industrial Services production operations at least generated cooling and paint booth waters, and welding was conducted.

B. Site Characteristics

Site layout (size, number of buildings, topography, etc.): The facility is located on ~5.055 acres. The facility is surrounded by industrial/commercial properties to the west and by residential properties to the north, south, and east. Although there are several buildings on this property, the major concern is with the large structure/building located

in the center of the property which contains nearly all of the products/wastes (see aerial photograph, facility diagram, site plan). The topography of the site runs from a high elevation at the southern border dropping to the north. Rail road tracks are located on the north and west side of the facility.

Quantity and type of wastes and/or hazardous substances:

Records indicate that HPM once generated hazardous wastes which were coded: D002, D007, D010, and/or F006, based on a 1992 inspection and annual reports. The most recent SERC documents indicate that various oil products, used oils, coolants, used coolants, and oxygen were managed at the Plant #1 facility. Products/wastes currently at the facility include, but are not limited to the following: ~1,000 gallon poly tank with unknown contents and labeled HOCUT 797-E Coolant; 55-gallon container with unknown contents and labeled TC-267-C; 2, ~1,300 gallon poly tanks with unknown contents; several ~300 gallon poly tote tanks with unknown contents; several 55-gallon containers with unknown contents; underground used oil tank, not known if it has contents; several open-topped vats/sumps with unknown contents; boxes of discarded light bulbs labeled to contain mercury; heating oil underground tanks and not known if there are any contents; many small containers throughout the facility with unknown contents.

Analytical data or other documentation on chemical characterization of wastes present (attach analytical):

No analytical data or other documentation available.

Condition of containers:

The many containers of products/wastes found at the facility were in various conditions. Although visual review did not indicate leaking containers at the times of the inspections, many were found to have open tops, no secondary containment, little if any security, some wastes (mercury containing light bulbs) not containerized at all, containers/vats with liquid contents and release valves attached, etc. See photographs from inspections.

Proximity of population and population density:

Mt. Gilead has a population of ~3,290 persons. This facility is within the city limits of Mt. Gilead, OH in Morrow County. The facility is bounded on the west by industrial/commercial sites and on the north, south, and east by residences. See maps and/or site plan.

3. Threats to Public Health and the Environment

- A. *Description of potential exposure to humans, animals or the food chain from hazardous substances or contaminants:*

As can be viewed in the various photographs, there are many containers, vats, sumps, vaults, etc. that contain unknown liquids. Some of these containers are open-topped and/or have valves attached that could easily release the contents. Some suspected hazardous wastes (mercury containing light bulbs) are not in any type of packaging.

Transformers remain on the site with unknown contents. At least 2 inground concrete vaults are located on the property with unknown contents. Underground used oil tank and fuel tanks are located on the site with unknown contents. Although a high fence surrounds the property, security is minimal at best.

B. *Actual or potential for release present:*

It is not known if any of the sumps, vats, and/or vaults are leaking and/or what their contents may be. Other releases would potentially be due to vandalism as there were no releases leaving the building area witnessed or ongoing during the site visits.

C. *Threat of fire or explosion:*

It was reported that dismantling of the steel in the building was put on hold until all parties were sure there were no more active old electrical works in the building. Thus, there could be a possibility of an electrical fire. The potential for vandals/trespassers to start a fire and/or create an explosion is very possible due to the poor security and easy access to the various products/wastes remaining at the facility. Some of the containers had contents with volatile smelling odors and oils are located throughout the facility.

4. *Assessment of Environmental Hazards and Proposed Response Actions*

A. *Description of hazards (real or potential) posed by site and what actions should be undertaken to reduce or eliminate hazard:*

The various containers, vats, sumps, transformers, and/or vaults containing unknown liquids could be released to the environment and/or persons could come into contact with these unknown liquids potentially causing harm to human health and/or the environment. Persons could fall into these vats, sumps, and/or vaults containing these unknown liquids causing themselves harm. A fire at this facility could potentially release hazardous substances to the air effecting the nearby residences and/or industries. These unknown products/wastes should be evaluated and removed from the facility for use and/or disposal.

5. *Chronology of Events*

1. See Chronology of Events document.

6. *Index of Documents*

1. Chronology of Events list.
2. OEPA, CDO, DSW Pre-treatment Inspection letter dated September 20, 2001.
3. OEPA, CDO, DHWM letter and CRO forms to Taylor Industrial Services dated September 21, 2001.
4. OEPA, CDO, DHWM letter and CRO forms to Ms. Jessica Davis, HPM bankruptcy estate attorney, dated March 19, 2004.
5. OEPA, CDO, DHWM fax to Mid-Ohio Sanitation & Recycling dated July 15, 2004.

6. OEPA, CDO, DHWM notice of violation to HPM Bankruptcy Estate; Taylor Industrial Services; and Mid-Ohio Sanitation & Recycling dated August 4, 2004 (includes findings and photographs from July 15, 2004 facility inspection).
7. CRO form EPA 0327 filed by Mid-Ohio Sanitation & Recycling dated August 19, 2004.
8. Letter from Sarah Lynn, Taylor Industrial Services attorney, dated October 5, 2004.
9. SERC filing forms for Plant #1 for filing dates March 1, 2001 and March 1, 2000.
10. OEPA, CDO, DHWM letter and photographs to Sarah Lynn, Taylor Industrial Services attorney, dated October 13, 2004.
11. Letter from Sarah Lynn, Taylor Industrial Services attorney, dated October 22, 2004.
12. The Morrow County Sentinel newspaper article, dated March 23, 2005, referring to PCB oils used at the Plant #1 facility.
13. OEPA, CDO, DHWM Field Activity Report and photographs dated May 9, 2005.
14. OEPA, CDO, DHWM Field Activity Report and photographs dated February 7, 2006.
15. OEPA, CDO, DHWM telephone conversation log, last updated February 15, 2006.
16. Plant #1 facility photographs/maps (i.e., aerial photograph; Mt. Gilead city map with Plant #1 designated; Plant #1 Site Plan).

7. *Extenuating or Mitigating Circumstances*

HPM Corporation is in bankruptcy;

Taylor Industrial Services once operated their business from Plant #1, but the extent of the manufacturing done at this facility by Taylor is in dispute;

Whether Taylor Industrial Services/Mid-Ohio Sanitation & Recycling sales agreements stipulate the person responsible for removing these products/wastes is in dispute.

8. *Contacts*

District Office: Randy Sheldon, Lundy Adelsberger, DHWM, CDO
Duane Snyder, Phil Farnlacher, DSIWM, CDO

Central Office: Harry Sarvis, John Schierberl, Ralph McGinnis, DHWM, CO

9. *Signatures*

Signed: _____

Date: _____

Approved: _____

Date: _____

HPM PLANT #1 CHRONOLOGY OF EVENTS

(February 15, 2006)

September 18, 2001 - Index of Documents (IOD) #2

DSW, CDO pre-treatment inspection for Taylor Industrial Services, HPM Division: OEPA informed that building was for sale and there was no production that discharged to sanitary sewer system; all production wastes are managed off-site. Letter dated September 20, 2001.

September 21, 2001

Telephone conversation with Mr. Richard Eichler, Taylor Industrial Services, HPM Division: discussed that all production operations were going to cease very soon at the Plant #1; said I would mail him all appropriate CRO forms.

September 21, 2001 - IOD #3

Letter and CRO forms sent to Mr. Richard Eichler, Taylor Industrial Services, HPM Division, per telephone conversation on same day.

March 18, 2004

Telephone conversation with Ms. Jessica Davis, attorney/trustee for the HPM bankruptcy estate, called and said Taylor Industrial Services had not been paying rent for the Plant #1 building. She said they were going to be evicted and products/waste would be placed outside the building. Ms. Davis was told not to remove the materials and she would be sent documentation for CRO filing.

March 19, 2004 - IOD #4

Letter and CRO forms sent to Ms. Jessica Davis, HPM attorney/trustee, per telephone conversation on previous day.

May 17, 2004

Telephone conversation with Ms. Jessica Davis, HPM attorney/trustee, to check on status of Plant #1 facility and filings. Ms. Davis said she was leaving firm and would have a new attorney assigned and that attorney would call me.

May 20, 2004

Telephone conversation with Ms. Jessica Davis, HPM attorney/trustee, as I had not received a call from the new attorney. She said it would be Mr. Fred Luper. She said she would give him the file and have him call me.

July 1, 2004

Telephone conversation with Mr. Fred Luper, HPM attorney/trustee, to check on the status of the Plant #1 and CRO filings. He said he had very little knowledge of the situation; would look at my letter on March 19, 2004; and would then give me a call.

July 13, 2004

Telephone message to Mr. Fred Luper, HPM attorney/trustee. Asked him to give

me a call as I wanted to go to the facility for a walk-through and inspection. Mr. Luper returned my call on this same day. He said the property had been sold and he could not grant me access. He said to call Ms. Sara Daneman, HPM attorney/trustee. On this same day, Ms. Daneman told me that both HPM properties in Mt. Gilead (Marion Ave.-Plant #2 & Lincoln Ave.-Plant #1) had been sold. I told her about the concerns with the various products/wastes left at the Plant #1 property. She said Taylor Industrial Services was responsible for getting rid of the products/wastes and equipment left at Plant #1. She said Mid-Ohio Sanitation & Recycling had purchased the Plant #1 property and Mr. Earl Linder was the contact. I then called Mr. Linder on this day. He said some of the used oils had been removed by a company from Mt. Vernon, OH and Taylor Industrial Services had taken some of the good equipment, but most all of the stuff remained at the facility. He said he had been trying to get Taylor Industrial Services to remove the remainder of the products/wastes, but they were not cooperating. We scheduled a facility inspection for July 15, 2004.

July 15, 2004

OEPA, DHWM, CDO inspected and photographed Plant #1 facility. See August 4, 2004 notice of violation.

July 15, 2004 - IOD #5

Verified that Plant #1 was vacated by Taylor Industrial Services and sold to Mid-Ohio Sanitation & Recycling. Plant #2 was being operated by Taylor Industrial Services. Faxed SERC filing and CRO forms to Earl Linder.

July 27, 2004

Telephone conversation with R. McGinnis, DHWM, CO. Agreed that a single notice of violation should be sent to all 3 entities.

August 4, 2004 - IOD #6

Notice of violation to HPM Bankruptcy Estate; Taylor Industrial Services; and Mid-Ohio Sanitation & Recycling for OAC 3745-52-11 and OAC 3745-352-20.

September 1, 2004

Telephone conversation with Ms. Sarah Lynn, attorney for Taylor Industrial Services. She asked for an extension to the time period listed for a response. Was told there were no formal mechanisms for an extension and to respond as soon as possible.

September 16, 2004 - IOD #7

Received a completed CRO filing form (EPA 0327) from Mid-Ohio Sanitation & Recycling for Plant #1 facility.

October 4, 2004

Telephone message from Ms. Sarah Lynn, Taylor Industrial Services attorney, through P. Farnlacher DSIWM, CDO that her response to me would take longer

than anticipated.

October 5, 2004

Telephone conversation with Ms. Sarah Lynn, Taylor Industrial Services attorney. She indicated that Taylor Industrial Services personnel said they had not filed any SERC reports for the Plant #1 facility and that they had not conducted any manufacturing at the facility. It was agreed that I would send her all of OEPA's associated documentation.

October 6, 2004 - IOD #8

Receipt of letter from Ms. Sarah Lynn, Taylor Industrial Services attorney, memorializing telephone conversation of previous day.

October 7, 2004 - IOD #9

Telephone conversation with DAPC, RTK personnel and receipt of SERC report filings for Plant #1 facility.

October 8, 2004

Telephone conversation with Ms. Sarah Lynn, Taylor Industrial Services attorney. and she requested copies of the photographs taken from the facility inspection.

October 13, 2004 - IOD #10

OEPA, DHWM, CDO letter with associated documents and photographs from Plant #1 to Ms. Sarah Lynn, Taylor Industrial Services attorney.

October 25, 2004 - IOD #11

Letter received from Ms. Sara Lynn, Taylor Industrial Services attorney, indicating Taylor Industrial Services had purchased equipment and inventory at Plant #1 and had moved all to Plant #2. Indicated that Mid-Ohio Sanitation & Recycling had purchased the property and Taylor Industrial Services personnel no longer had access to the property. Also indicated Taylor Industrial Services personnel would be willing to conduct a site visit (with permission) to assess OEPA's concerns and would be willing to sit down with all and discuss the situation.

December 13, 2004

Telephone conversation with Mr. Earl Linder, Mid-Ohio Sanitation & Recycling. He informed me that Taylor Industrial Services personnel and a waste company representative were supposed to be at the Plant #1 site on the following day to review and evaluate the containers of products/wastes.

January 26, 2005

Telephone conversation with Mr. Randy Chilcote, Mid-Ohio Sanitation & Recycling. He said nothing had been done with the containers of products/wastes, but Taylor Industrial Services personnel had recently been to the Plant #1 facility and had been marking pieces of equipment they were going to take. Chilcote said Taylor Industrial Services was told they could not remove any more of the equipment until

the containers of products/wastes had been properly managed. Chilcote said they were told to have all containers removed by the end of the month or the remaining equipment would be sold to cover the costs of the anticipated disposal.

April 20, 2005 - IOD #13

OEPA, DHWM, CDO inspected and photographed Plant #1 facility. See Field Activity Report dated May 9, 2005.

February 1, 2006 - IOD #14

Telephone and message to Mr. Earl Linder, Mid-Ohio Sanitation & Recycling, that OEPA personnel would be at the Plant #1 facility on this day to review the site. See Field Activity Report, dated February 7, 2006, and photographs.